

AMENDED IN ASSEMBLY MARCH 19, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1448

Introduced by Assembly Member Furutani

January 4, 2012

An act to add Section 41857 to the Education Code, relating to home-to-school transportation, ~~making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1448, as amended, Furutani. Home-to-school transportation: ~~appropriation.~~ *funding.*

~~(1) Existing~~

Existing law authorizes school district governing boards to provide for the transportation of pupils to and from school whenever, in the judgment of the governing board, the transportation is advisable and reasons exist therefor. Existing law also authorizes school district governing boards to purchase or rent and provide for the upkeep, care, and operation of vehicles, or contract and pay for the transportation of pupils to and from school by common carrier or municipally owned transit system, or contract with and pay responsible private parties for the transportation.

This bill would, *commencing with the 2012–13 fiscal year and each fiscal year thereafter, prohibit the Legislature from reducing funding for home-to-school transportation below the amount established in the Budget Act of 2011. The bill would also express legislative findings and declarations relating to the provision of home-to-school transportation by school districts. The bill, and would express legislative*

intent to fund home-to-school transportation to at least the level approved in the Budget Act of 2011.

~~(2) Existing law authorizes the Director of Finance to make reductions in certain appropriations of the Budget Act of 2011 if specified revenue forecasts are made for the 2011-12 fiscal year. Pursuant to this provision, the Director of Finance reduced the appropriation for home-to-school transportation that was included in the Budget Act of 2011 by \$248,000,000.~~

~~This bill would make an appropriation of \$248,000,000 from the General Fund to the State Department of Education, for transfer to Section A of the State School Fund, to restore this funding for home-to-school transportation for the 2011-12 fiscal year.~~

~~(3) This bill would declare that it is to take effect immediately as an urgency statute.~~

Vote: $\frac{2}{3}$ -majority. Appropriation: ~~yes~~-no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following:
- 3 (1) All pupils should be provided with equitable educational
- 4 benefits.
- 5 (2) Reductions to programs affecting access to schools, such as
- 6 home-to-school transportation, disproportionately and negatively
- 7 impact low-income and disadvantaged pupils in their ability to
- 8 equally participate in school.
- 9 (3) The California Constitution requires the state to bear the
- 10 responsibility for ensuring that pupils receive equal educational
- 11 opportunities and free adequate educational services.
- 12 (4) Federal and state law require school districts to provide
- 13 transportation for pupils with disabilities if those services are
- 14 necessary to provide the same level of educational benefit as other
- 15 pupils.
- 16 (5) Providing California's youth with safe routes to school helps
- 17 to ensure their school participation, public safety, and ~~well-being~~
- 18 *well-being*.
- 19 (b) Therefore, it is the intent of the Legislature to fund
- 20 home-to-school transportation at the level approved in the Budget
- 21 Act of 2011.

1 ~~SEC. 2. The sum of two hundred forty-eight million dollars~~
2 ~~(\$248,000,000) is hereby appropriated from the General Fund to~~
3 ~~the State Department of Education, Program 10-Instruction, for~~
4 ~~transfer to Section A of the State School Fund, for Home to School~~
5 ~~Transportation for the 2011-12 fiscal year, in augmentation of~~
6 ~~Item 6110-111-0001 of Section 2.00 of the Budget Act of 2011,~~
7 ~~as it was reduced pursuant to paragraph (1) of subdivision (c) of~~
8 ~~Section 3.94 of the Budget Act of 2011.~~

9 ~~SEC. 3. This act is an urgency statute necessary for the~~
10 ~~immediate preservation of the public peace, health, or safety within~~
11 ~~the meaning of Article IV of the Constitution and shall go into~~
12 ~~immediate effect. The facts constituting the necessity are:~~

13 ~~In order to restore urgently needed funding for home-to-school~~
14 ~~transportation as soon as possible, it is necessary that this act take~~
15 ~~effect immediately.~~

16 ~~SEC. 2. Section 41857 is added to the Education Code, to read:~~
17 ~~41857. Commencing with the 2012-13 fiscal year and each~~
18 ~~fiscal year thereafter, the Legislature shall not reduce funding for~~
19 ~~home-to-school transportation below the amount established in~~
20 ~~Item 6110-111-0001 of Section 2.00 of the Budget Act of 2011~~
21 ~~(Chapter 33 of the Statutes of 2011).~~